



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,985	12/11/2003	Valerie M. Bennett	RSW920030204US1	4330
43168 7590 04/28/2009 MARCIA L. DOUBET LAW FIRM PO BOX 422859 KISSIMMEE, FL 34742				
EXAMINER				
HENRY, RODNEY M				
ART UNIT		PAPER NUMBER		
3622				
NOTIFICATION DATE		DELIVERY MODE		
04/28/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mld@mindspring.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/733,985
Filing Date: December 11, 2003
Appellant(s): BENNETT ET AL.

Attorney Marcia Doubet
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed January 21, 2009 appealing from the Office action mailed June 23, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Currans et al. 6,731,393 May-2004.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

- 1. Claims 1-6, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Currans et al. (6,731,393).**

As per claim 1, Currans et al. discloses a method of selectively subscribing to content in a computing environment (Column 6, lines 11-12, FIGS. 1 and 13 discloses custom (selective) documents by a subscribing user. FIG. 5 shows subscription options for news, sports, money etc.. FIGS. 9A-12 shows examples of the custom documents), comprising:

enabling a user to identify, from a rendered (provider) view of content which is of interest to the user, (Column 13, lines 55-57 discloses the content of interest indicated (identified) by the user); and wherein a renderer (provider) of the content has not provided a subscription interface thereto (Column 7, lines 23-27 discloses content manager 518 of FIG. 13 may be deployed separate from edit module 120, indicating that an interface is not provided);

and registering a subscription, for the user, to the identified portion of the content (FIG. 5 shows the registration screen and instructions. Several portions of content registration are shown; registration for an offer to win (see dig by ENTER to WIN!), free instant delivery download registration, etc.).

As per claim 2, Currans et al. discloses using the registered subscription to deliver updates of the identified portion of content to the user (Column 13, lines 19-20 discloses daily printings of the user's personalized newspaper (portioned updates). See FIG. 11A also).

As per claim 3, Currans et al., discloses :
enabling the user to customize subscription to specify at least one condition which must be matched before the user is interested in the identified portion of the content, (see col 7, lines 29-33 which discloses user interest as one condition (key contributor) to subscription customization (custom document generation))
and wherein the registering further comprises the customization (see FIG. 8).

As per claim 4, Currans et al. discloses using the registered subscription to deliver an update of the identified portion content which match the condition to the user (Column 13, lines 18-20 discloses that the user has requested document 13000, his personalized newspaper be printing at of 6:00 am, every day (the conditions), and FIG. 11A).

As per claim 5, Currans et al. discloses specifying, for the user, at least one action to be carried out when at least one condition is met in an update to the identified portion of the content carrying out at least one action (Column 13, lines 19-20 discloses the action of printing the personalized newspaper when the conditions of 6:00 am and new day are matched. The action is printing. An example of this is a user

Art Unit: 3622

getting updates to stock prices as with FIG. 9A should the user set up a close of stock market time (condition) for getting the customized updates)).

As per claim 6, Currans et al. discloses evaluating the registered subscription, and if the at least one condition registered therein is met in update to the identified portion of the content, carrying out the one action (Column 13, lines 21-23 discloses the edit module 120 examining (evaluating) the user's interest as specified to assemble the custom document. Column 13, lines 19-20 discloses the action of printing the personalized newspaper when the conditions of 6:00 am and new day are matched. An example of this is a user getting updates to stock prices as with FIG. 9A should the user set up a close of stock market time (condition) for getting the customized updates)).

As per claim 12, Currans et al. discloses enabling the registering are adapted for enabling a plurality of users to identify the portion of content which is of interest to each of the plurality of users (FIG. 1 shows a plurality of users that receive the content; 20320, 20330, 20350, and 20360) and registering subscriptions to updates of the identified content for the plurality of users, respectively (FIG. 5 shows the registration screen and instructions. The subscriptions are shown as well).

(10) Response to Arguments

Examiner notes that the prior art anticipates the features of the Appellant's independent claim 1.

In reference to representative independent claim 1, the prior art anticipates claim 1.

Currans discloses a method of selectively subscribing to content in a computing environment (Column 6, lines 11-12, FIGS. 1 and 13 discloses custom (selective) documents by a subscribing user. FIG. 5 shows subscription options for news, sports, money etc.. FIGS. 9A-12 shows examples of the custom documents), comprising:

enabling a user to identify, from a rendered (provider) view of content which is of interest to the user, (Column 13, lines 55-57 discloses the content of interest indicated (identified) by the user); and wherein a renderer (provider) of the content has not provided a subscription interface thereto (Column 7, lines 23-27 discloses content manager 518 of FIG. 13 may be deployed separate from edit module 120, indicating that an interface is not provided);

and registering a subscription, for the user, to the identified portion of the content (FIG. 5 shows the registration screen and instructions. Several portions of content registration are shown; registration for an offer to win (see dig by ENTER to WIN!), free instant delivery download registration, etc.).

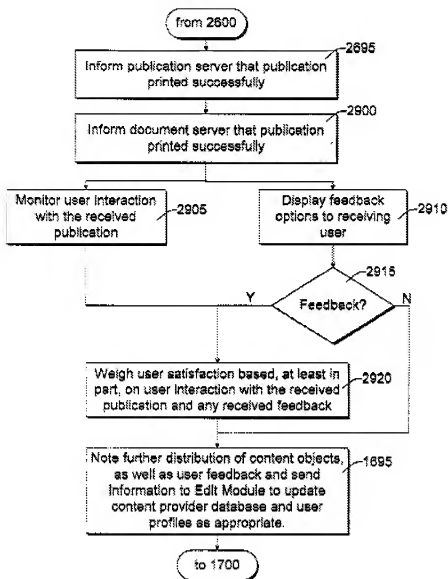
Response to Claim 1

The applicant's arguments with regards to claim 1 is addressed in the claim 1 rejection, as follows:

On page 7 of the Appellant's Appeal Brief, Appellant states, "No rendered view of content from which a user specifies an interest in a portion thereof is taught or disclosed. How the user in Currans indicates or identifies a specific interest in any portion is not described. Currans simply does not suggest, disclose or teach this subject matter".

However, Currans discloses rendered content of interest to the user via FIG. 18.

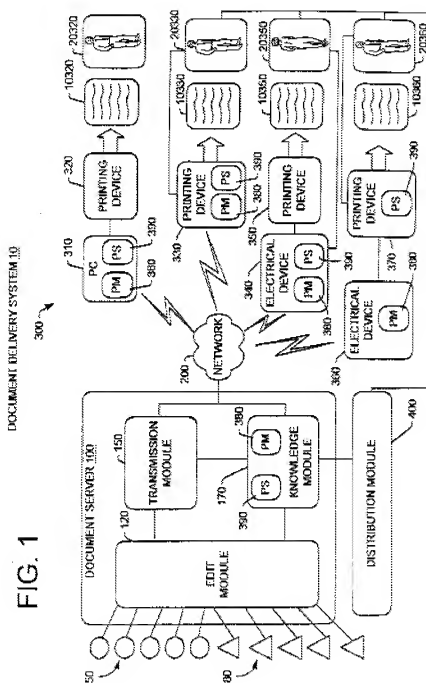
At block 2905 the user interacts with the received (rendered) publication. Secondly at block 2920, the user not only interacts with the document (publication, but gives feedback (comments of interest or disinterest).

Fig. 18

Hence, Currans anticipates these features.

On page 7 of the Appellant's Appeal Brief, Appellant states that the prior art does not disclose that, "a renderer of the view of the content has not provided a subscription interface thereto".

However, Currans discloses a "renderer of the view of the content has not provided a subscription interface thereto" via FIG. 1. In FIG. 1 the PC (310) and the Electrical Device (360) received rendered views of content. The renderer of the content has not provided a subscription interface to the PC or the Electrical device. Note that the interface is between the content providers (50) and (80) and the Edit Module (120), which in turn renders the content to the users (310 and 360).



Hence, Currans anticipates these features.

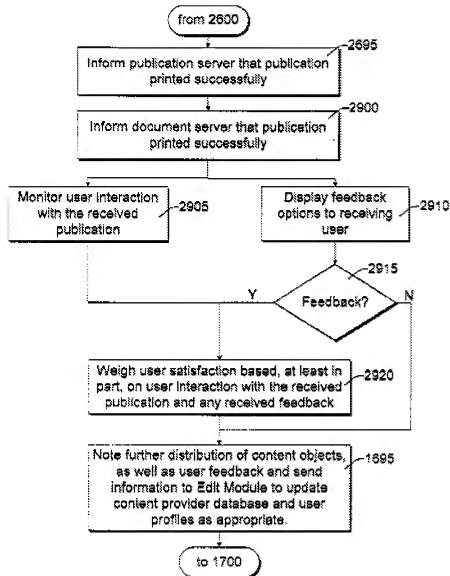
On pages 8 and 9 of the Appellant's Appeal Brief, Appellant states Currans does not teach, suggest or disclose "registering a subscription ... to the identified portion of the content".

However, Currans discloses "registering a subscription ... to the identified portion of the content", via FIGS. 1, 5 17, and 18. FIG. 18, block 2905 discloses monitoring of user interaction with identified portion of content, and this information in turn being used to update the user profile and edit module (120 of FIG. 1). Block 1430 of FIG. 17 discloses construction of documents based on updates of user profile data. FIG. 5 shows the sign-up process for being able to get "favorite publications to a printer". The Examiner takes this to mean a subscription has taken place, albeit, a free subscription using the free software. These aspects of Currans disclose that a user is rendered content, is able to provide feedback on interest, and is able to receive a personalized document on a regular basis (subscription).

Art Unit: 3622

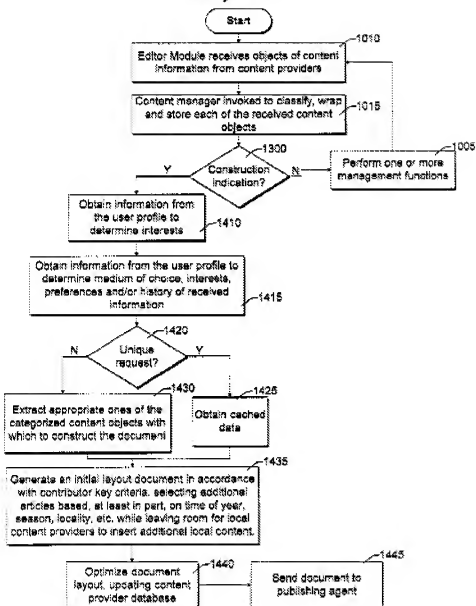
HP INSTANT DELIVERY		HEWLETT PACKARD EXPANDING POSSIBILITIES	
HOME DOWNLOAD PRODUCT INFORMATION FEATURED PUBLISHERS PRODUCT SUPPORT DEVELOPERS PROGRAM INSTANT DELIVERY FEEDBACK ENTER TO WIN	<h2>DOWNLOAD FREE SOFTWARE</h2> <p>GET THE INFORMATION YOU WANT—NEWS, SPORTS, MONEY, TECHNOLOGY, HOBBIES AND MORE—RIGHT NOW. FOLLOW THE STEPS BELOW TO BRING YOU FAVORITE PUBLICATIONS TO YOUR PRINTER.</p> <p>1. SAVE THE INSTALL PROGRAM TO YOUR PC'S HARD DRIVE. CLICK THE LOGO BELOW TO DOWNLOAD THE FILE NOW. REMEMBER WHERE YOU SAVE THIS FILE, YOU'LL USE IT IN STEP 2!</p> <p>PRINTER: <input type="text"/> PLEASE SELECT YOUR PRINTER</p> <p>E-MAIL: <input type="text"/></p> <p>HP CAN CONTACT ME <input checked="" type="checkbox"/> INSTANT DELIVERY </p> <p>FILENAME: INSTALL.HPD.EXE SIZE: 3.38MB (APPROX. 20MIN AT 28.8kb)</p> <p>2. RUN THE INSTALL PROGRAM. LOCATE THE FILE YOU DOWNLOADED IN STEP ONE, THEN DOUBLE-CLICK IT. FOLLOW THE INSTRUCTIONS ON THE SCREEN.</p> <p>PLEASE REVIEW THE README FILE FOR IMPORTANT INFORMATION</p> <p>AFTER INSTALLATION, THE SOFTWARE STARTS AUTOMATICALLY AND TELLS YOU EVERYTHING YOU NEED TO KNOW TO GET STARTED.</p>		
	<div> DETAILED INSTALLATION INSTRUCTIONS SYSTEM REQUIREMENTS NEW README FILE SESSION HISTORY </div> <div> ENTER TO WIN </div>		
HP INSTANT DELIVERY		HEWLETT PACKARD	
<small> CONTACT HP PRIVACY STATEMENT USE OF THIS SITE INDICATES THAT YOU ACCEPT THE TERMS OF USE COPYRIGHT © 1996 HEWLETT PACKARD COMPANY </small>			

FIG.5

Fig. 18

8

Fig. 17



Art Unit: 3622

The applicant's arguments with regards to claim 2 is addressed in the claim 2 rejection, as follows:

On pages 10 and 11 of the Appellant's Appeal Brief, Appellant states Currans does not teach, suggest or disclose "using the registered subscription to deliver updates of the identified portion of content to the user".

However, Currans discloses "using the registered subscription to deliver updates of the identified portion of content to the user", via FIGS. 17 and 18.

In FIG. 18 at block 2905, the user's interaction with the received publication is monitored (based on the subscription made per FIG. 5 ("favorite publications brought to the user's printer"....on a regular basis denotes subscription)).

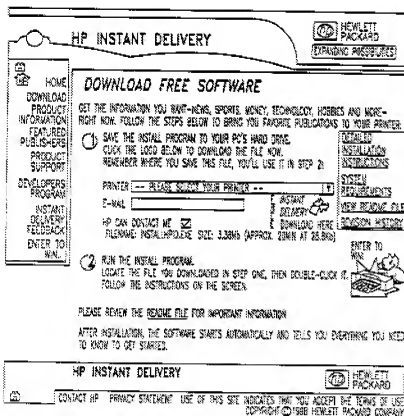
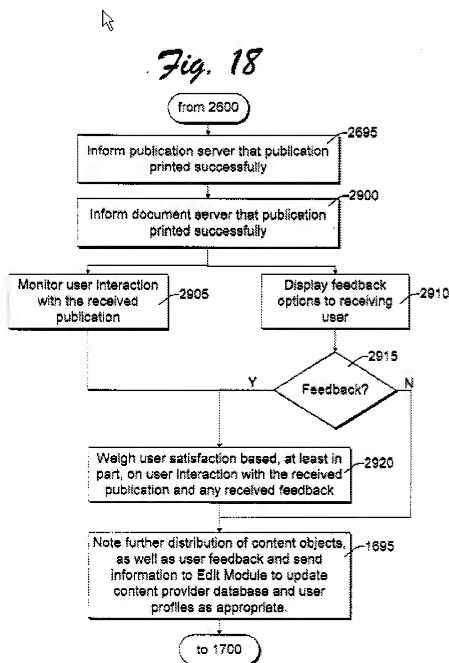


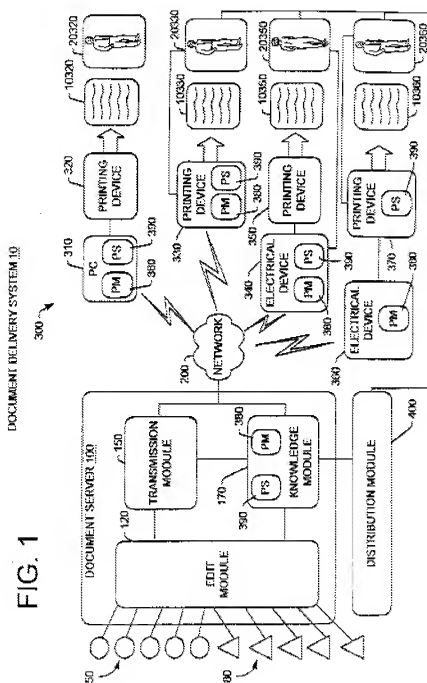
FIG.5

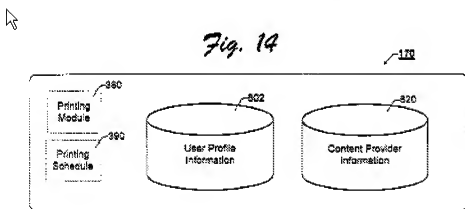
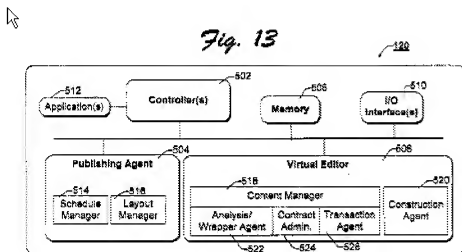
In FIG. 18 at block 2920, the user gives feedback (based on identified portion of content).



In FIG. 19, at block 1695, information gets sent to the Edit Module and the user profile. FIGS. 1, and 13, show the edit module (120), which houses content manager 518, and FIGS. 1 and 14 show the knowledge module 170, which houses the user profile information (602).

These components and others make it possible for the user to receive updates on contents of interest (identified content per user feedback captured in the user profile).





FIGS. 8, 9A, and 11A further indicate that the user gets updates based on identified content. For example, if a user identified that they are interested in Current Indexes, they can get a personalized newspaper (FIG. 11A) according to the schedule they signed up for (FIG. 8), along with updates of the indexes shown in Time.com (FIG 9A).

FIG.8

Art Unit: 3622

FRIDAY May 7, 1999

TIME

afternoon update

INTERNATIONAL TIME

ALL RIDING ON MOSCOW

The split in Washington: Moscow has "finally" agreed to Western demands for a peacekeeping force in Kosovo, leaving Milosevic isolated. The split in Moscow: Russia has always accepted a peacekeeping force in Kosovo, and Washington has finally signed on to a peace plan the Kremlin has been pushing for weeks. The split in Belgrade: Milosevic is ready to talk about a U.N. presence in Kosovo, but not before NATO hits its bombing — a position backed by Moscow. NATO remains committed to bombing until its demands are met, and pounded targets in Yugoslavia slides overnight.

Peace now depends on finding a formula by which the Serbs can make sufficient concessions to persuade NATO to ground its bombers. "NATO's not going to easily suspend the bombing because it knows it may be politically unable to restart it," says TIME Pentagon correspondent Mark Thompson. "The alliance may even intensify the bombing in the hope of making Milosevic more compliant." It will be left to Moscow, once again, to choreograph a sequence of symmetrical Serb withdrawal and NATO bombing suspension. Russian envoy Ylizar Gerasimov is headed for Washington Sunday and plans to visit Belgrade shortly. The cracks toward a peace deal have now been laid.

For more visit <http://www.time.com/daily>

GM LOSSES SUIT

A Texas jury ruled General Motors must pay \$47.5 million to the family of a man whose neck was broken because his pickup truck did not have head restraint. But the family offered to forgo the \$11 million in punitive damages if GM would recall all trucks made without head restraint.

NO THIRD GUNMAN

Authorities on Thursday appeared close to ruling out the possibility of a third gunman in the Columbine High School massacre. "At this point, we are still avoiding the possibility of a third shooter. But we do not have a suspect's mind, and none of the physical evidence points definitely to a third person," said a Jefferson County Sheriff's spokeswoman.

PARTY POLITICS

Vice President Al Gore stepped down as guest-host for Larry King's show last night when Republicans joined forces to complain that it was unfair to give him all of that free airtime this close to the 2000 election. Gore was to lead a discussion on the Likien, Colorado, shootings; instead he just sat in as a guest for the King-moderated program. Although Gore gave up the mike voluntarily, his spokesman said it was unfortunate that Republicans had to "inject partisan politics" into coverage of the Columbine disaster.

For more visit <http://www.ew.com>

11000

ENTERTAINMENT WEEKLY

FIG.9A

Art Unit: 3622

Rodney Henry /rmh/

Examiner, Art Unit 3622

Conferees:

Arthur Duran /AD/

Primary Examiner, Art Unit 3622

Vincent Millin /vm/

Appeals Conference Specialist